



OFFICE OF
INSURANCE COMMISSIONER

4929 8/21/06 \$875.00

In the Matter of)	No. D06-150
)	
WESTERN GENERAL)	REVISED
INSURANCE COMPANY,)	CONSENT ORDER
)	IMPOSING A FINE
An Authorized Insurer)	
_____)	

Findings of Fact:

1. Western General Insurance Company ("Western General") is authorized to conduct insurance business in Washington State. It issues property, casualty, and surety insurance.
2. Revised Code of Washington § 48.05.250 requires every insurer to file an annual statement for the previous calendar year with the Office of the Insurance Commissioner ("OIC") by February 28 of the following year.
3. Washington Administrative Code § 284-07-060 requires that, as part of the annual statement, a Statement of Actuarial Opinion ("SAO") be submitted by February 28 of the following year, as well.
4. Western General violated Revised Code of Washington § 48.05.250 by failing to file its year 2004 Statement of Actuarial Opinion, a required component of its Annual Statement, by the statutory due date of February 28, 2005. In late April 2005, the OIC sent a notice to Western General Insurance Company, reminding it of this filing requirement. To date, no response has been received by the OIC.

Conclusions of Law:

1. Western General's failure to timely file its calendar year 2004 Statement of Actuarial Opinion constitutes a violation of RCW 48.05.250(1) and WAC 284-07-060(2).
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

Western General Insurance Company consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of the insurer's payment of a fine as set

forth below.

1. Western General Insurance Company consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. It waives further administrative or legal challenge to the actions taken, or to be taken, by the Insurance Commissioner, related to the subject matter of this Order.
2. Within thirty days of the entry of this Order, Western General Insurance Company will pay to the Insurance Commissioner a fine in the amount of \$875 (eight hundred seventy five dollars).
3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by Western General Insurance Company in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 16th day of August, 2006.

WESTERN GENERAL INSURANCE COMPANY

By: 

Printed Name: Daniel Mallat

Printed Corporate Title: Executive Vice President - General Counsel

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. Western General Insurance Company is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$875 (eight hundred seventy five dollars).
2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 24th day of August, 2006

MIKE KREIDLER
Insurance Commissioner

By: 

Marcia G. Stickler
Legal Affairs Division